

U.S.S.N. 09/229,226

Filed: January 12, 1999

**AMENDMENT AND RESPONSE TO OFFICE ACTION****In the Claims**

1. (three times Amended) The method of claim 27 [for treating cells or tissues to alter permeability, cell viability or structural integrity] comprising
- (a) administering acoustic energy [to the cells or tissues] at one or more frequencies ;
  - (b) measuring a property or the effect of the acoustic energy during the treatment with acoustic energy; and
  - (c) using the measurement obtained in step (b) to modify continued or subsequent application of acoustic energy [to the cells or tissues] during the treatment as needed to enhance the treatment.

Please cancel claim 7.

17. (twice amended) The method of claim 1 wherein the acoustic energy is applied under conditions to effect cavitation within or on the surface of the [biological materials] cells or tissues.

26. (Three times Amended) A device comprising
- (a) means for treating cells or tissue by administering acoustic energy to the cells or tissue at a first site to alter permeability, cell viability or structural integrity of cells or tissues at a second distant site;
  - (b) means for measuring a property or the effect of the acoustic energy during the treatment with acoustic energy; and
  - (c) means for using the measurement of the property of the acoustic energy to modify continued or subsequent application of acoustic energy to the cells or tissues at the first site

U.S.S.N. 09/229,226

Filed: January 12, 1999

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

during the treatment as needed to enhance the treatment of the cells or tissues at the second distant site.

27. (three times Amended) A method for altering [cell viability or] transport of chemical or biological agents into or through an internal organ, internal tissue or vessel in a human or other animal using acoustic energy, comprising:

indirectly administering acoustic energy at one or more frequencies to an internal organ, internal tissue or vessel by applying a transducer to a first site on the human or other animal other than where transport [or cell viability] is to be altered;

wherein the acoustic energy is effective to alter transport [or cell viability] at [a distant second distant site at a different] the internal tissue [or an] , internal organ or [an] internal vessel [in a different tissue].

28. (twice Amended) The method of claim 27 wherein the acoustic energy is applied to the skin or a mucosal membrane and alters transport or cell viability at an internal organ, tissue or vessel in a different tissue.

29. (Amended) The method of claim 27 wherein the acoustic energy alters transport or cell viability of tumor cells.

30. (Amended) The method of claim 27 wherein the acoustic energy alters transport into or out of the cells of molecules selected from the group consisting of therapeutic, prophylactic and diagnostic agents.

U.S.S.N. 09/229,226

Filed: January 12, 1999

## AMENDMENT AND RESPONSE TO OFFICE ACTION

31. (twice amended) A method for altering cell viability or transport of chemical or biological agents into or through an internal organ, internal tissue or vessel in a human or other animal using acoustic energy, comprising:

indirectly administering acoustic energy at one or more frequencies to an internal organ, internal tissue or vessel by applying a transducer to a first site on the human or other animal other than where transport or cell viability is to be altered;

wherein the acoustic energy is effective to alter transport or cell viability at the internal tissue, internal organ or internal vessel, [The method of claim 27] wherein the transducer is placed inside the body using invasive or minimally invasive means.

32. (twice amended) A method for altering cell viability or transport of chemical or biological agents into or through an internal organ, internal tissue or vessel in a human or other animal using acoustic energy, comprising:

indirectly administering acoustic energy at one or more frequencies to an internal organ, internal tissue or vessel by applying a transducer to a first site on the human or other animal other than where transport or cell viability is to be altered;

wherein the acoustic energy is effective to alter transport or cell viability at the internal tissue, internal organ or internal vessel, [The method of claim 27] wherein the transducer is placed within a blood vessel using a catheter.

33. (twice amended) A method for altering cell viability or transport of chemical or biological agents into or through an internal organ, internal tissue or vessel in a human or other animal using acoustic energy, comprising: